

REAL ESTATE TRANSFER	
2001- TAX PAID 784 02	STAMP #
\$ 1359 ²⁰	
Sheryl J. Thul RECORDER	
6-28-02	Boone
DATE	COUNTY

Instrument No. 024214
 State of Iowa, Boone County, SS
 Filed for Record at 10:46 A.M.
 This 28 day of June 2002
 Sheryl J. Thul, Recorder, Fees \$ 36.00
 Number of Pages 4 290d
 15T 20R 15ur 7dne

Send Tax Statement to: 203 Harrison Street Limited Partnership, 11912 Elm St. Suite 23, Omaha, NE 68144

bill +
 Rekurat

Prepared by: Beth Bucklin First Nebraska Title 2425 South 120th Street Omaha, NE 68144

WARRANTY DEED

Know all men by these presents, that, **Midtown Development Company, an Iowa limited partnership**, herein called the grantor whether one or more, for and in consideration of the sum of One dollar and other valuable consideration received from grantee, do hereby grant, bargain, sell, convey and confirm unto, **203 Harrison Street Limited Partnership**, herein referred to as "Grantee", the following described real property:

The South 32 feet of Lot 4, and all of Lots 5 and 6, in Block 161, in Fourth Addition to Boone, Iowa; the West 77 feet of Block 186 in Seventh Addition to Boone, Iowa; and that part of Lot 4, lying Easterly of the abandoned railroad right of way, and Lot 5, in the Southwest 1/4 of the Northwest 1/4 of Section 28, Township 84 North, Range 26, West of the 5th P.M., in the City of Boone, Boone County, Iowa, sometimes described as shown on Exhibit "A" attached, and subject to the exceptions listed on Exhibit "B" attached.

To have and to hold the above described premises together with all tenements, hereditament and appurtenances thereto belonging unto the grantee and to grantee's heirs and assigns forever.

And the grantor does hereby covenant with the grantee and with grantee's heirs and assigns that grantor is lawfully seized of said premises; that they are free from encumbrances except covenants, easements and restrictions of record; all regular taxes and special assessments, except those levied or assessed subsequent to date hereof; that grantor has right and lawful authority to convey the same; and that grantor warrants and will defend the title to said premises against the lawful claims of all persons whomsoever.

Dated: May 20, 2002

Midtown Development Company, an
 Iowa limited partnership

By: Robert E. Freigall
 Bank of America as Co-Trustee for the
 Walter G. Dennert marital trust

By: Mary Ellen Dennert-Burman
 Mary Ellen Dennert n/k/a Mary Ellen
 Dennert-Burman, Co-Trustee of the
 Walter G. Dennert marital trust

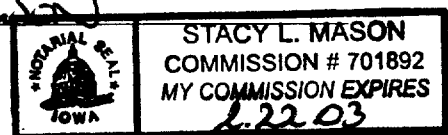
By: Richard B. Dennert
 Richard B. Dennert, as Co-Trustee of the
 Walter G. Dennert marital trust

By: Wesley L. Herrald
 Wesley L. Herrald, general partner

STATE OF IOWA, POLK COUNTY, SS:

On this 28TH day of MAY, 2002, before me the undersigned, a Notary Public in and for said State, personally appeared Robert E. Frizell to me personally known, who, being by me duly sworn, did say that he is the Assistant Vice President, respectively, of the corporation executing the foregoing instrument; that (no seal has been procured by) the corporation; that the instrument was signed on behalf of the corporation by authority of its Board of Directors; that Robert E. Frizell acknowledged the execution of the instrument to be the voluntary act and deed of the corporation and of the fiduciary, by it, by him as the fiduciary voluntarily executed.

Stacy L. Mason
Notary Public



STATE OF IOWA, BOONE COUNTY, SS:

On this 20th day of May, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared Mary Ellen Dennert-Burman, to me known to be the identical person named in and who executed the foregoing instrument, and acknowledged that the person, as the fiduciary, executed the instrument as the voluntary act and deed of the person and of the fiduciary.

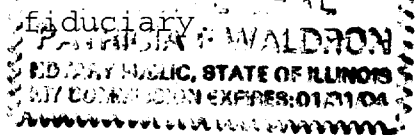
Sheri K. Reutter
Notary Public



STATE OF ILLINOIS, Cook COUNTY, SS:

On this 24th day of May, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared Richard B. Dennert, to me known to be the identical person named in and who executed the foregoing instrument, and acknowledged that the person, as the fiduciary, executed the instrument as the voluntary act and deed of the person and of the fiduciary.

Patricia Waldron
Notary Public



STATE OF IOWA)
COUNTY OF BOONE)

On this 20th day of May, 2002, before me, the undersigned, a Notary Public in and for said County, personally came Wesley L. Herrald

known to be the same and identical person whose name is affixed to the above conveyance, and acknowledged the execution thereof to be his/hers/their voluntary act and deed.

Sheri K. Reutter
Notary Public

My commission expires the 27th day of June, 2002.

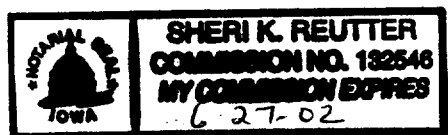


EXHIBIT 'A'

SOUTH 32 FEET OF LOT 4, AND ALL OF LOTS 5 AND 6 IN BLOCK 161, IN FOURTH ADDITION TO BOONE, IOWA; ALSO WEST 77 FEET OF BLOCK 186 IN SEVENTH ADDITION TO BOONE, IOWA; AND THAT PART OF LOT 4, LYING EASTERLY OF THE RAILROAD RIGHT-OF-WAY AND LOT 5 IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 84 NORTH, RANGE 26 WEST OF THE 5TH P.M., IN THE CITY OF BOONE, BOONE COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF FIRST STREET AND THE EAST LINE OF THE FORMER RIGHT-OF-WAY OF THE C&NW RAILWAY COMPANY, WHICH POINT IS 35.00 FEET NORTH OF THE SOUTH LINE OF SAID NW $\frac{1}{4}$ AND 523.50 FEET EAST OF THE WEST LINE OF SAID NW $\frac{1}{4}$; THENCE NORTHERLY ALONG A 1,859.88 FOOT RADIUS CURVE WHICH IS CONCAVE EASTERLY FOR 461.80 FEET, THE LONG CHORD OF WHICH BEARS N02°37'30"E FOR 460.62 FEET; THENCE S89°58'E 240.20 FEET ALONG THE NORTH LINE OF THE SOUTH 32.00 FEET OF SAID LOT 4 TO THE WEST LINE OF HARRISON STREET; THENCE S00°09'E 160.80 FEET TO THE SOUTH LINE OF SECOND STREET; THENCE N89°39'E 310.00 FEET TO THE EAST LINE OF THE WEST 77.00 FEET OF SAID BLOCK 186, WHICH POINT IS ALSO 150.00 FEET WEST OF THE WEST LINE OF MONONA STREET; THENCE S00°09'E 301.10 FEET TO THE NORTH LINE OF FIRST STREET; THENCE S90°00'W 572.50 FEET TO THE POINT OF BEGINNING, CONTAINING 4.892 ACRES.

EXHIBIT 'B'

Permitted Exceptions

Mortgage filed October 9, 1970, in Book 423 at Page 291, executed by Midtown Development Co., Limited Partnership, to Hawkeye Savings and Loan Association, in the amount of \$899,700.00; and Modification Agreement filed October 23, 1970, in Book 424 at Page 629; and Modification Agreement filed December 1, 1971, in Book 431 at Page 223; and Assignment of same to Federal National Mortgage Association, filed December 14, 1971, in Book 431 at Page 305; and Continuation filed May 15, 2002 as Instrument No. 023198.

Financing Statement filed June 9, 1977, as F.S. File No. 11380, Midtown Development Co., debtor, and Federal National Mortgage Association, secured party; and Continuation filed April 26, 1982, as F.S. File No. 14555; and Continuation filed April 28, 1987, as F.S. File No. 17602; and Continuation filed June 8, 1992, as F.S. File No. 20507; and Amendment filed June 8, 1992, as F.S. File No. 20508; and Continuation filed February 18, 1997, as F.S. File No. 21456.

Regulatory Agreement filed October 9, 1970, in Book 424 at Page 587, by and between Midtown Development Co., and Secretary of Housing and Urban Development acting by and through the Federal Housing Commissioner.

Easement Agreement granted to the City of Boone, over a portion of the premises in question, as set forth in instrument filed October 9, 1959, in Book 365 at Page 347.